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February 28, 2025

**VIA ECF**

Honorable Dale E. Ho  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States of America v. Adams***  
**Docket No.: 24-cr-00556(DEH)**

Dear Judge Ho:

Lt. General Michael Flynn (USA-Ret.), America's Future, and Conservative Legal Defense and Education Fund ("Flynn") respectfully requests leave to file the attached amicus brief. The Government and Defendant do not object to this application.

This Court has ruled that *amici* may seek leave to file briefs addressing the issues pending before the Court, so long as they are filed by February 28, 2025. See ECF No. 136. Leave to file a proposed brief should be granted because it is both "timely and useful" to the Court. *Andersen v. Leavitt*, No. 03-CV-6115, 2007 WL 2343672, at \*2 (E.D.N.Y. Aug. 13, 2007).

These parties have no interest in this case beyond ensuring a proper understanding and respect for the separation of powers principles at stake in the matter before the Court. This means parties seeking to file this brief embody the "primary role of [an] amicus," which is to "assist the Court in reaching the right decision in a case affected with the interest of the general public." *Russell v. Bd. of Plumbing Examiners of Cnty. of Westchester*, 74 F. Supp. 2d 349, 351 (S.D.N.Y. 1999).

Here, the issue of executive authority of the conduct of prosecutions is a significant issue. Accordingly, the Court should accept *amici* brief.

Respectfully submitted,  
HARFENIST KRAUT & PERLSTEIN, LLP

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cc: All counsel of record (*via ECF*)

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